

UNITED STATES DISTRICT COURT

for the

District of NEVADA

United States of America)

v.)

DELVEN EARL RASBERRY)

Case No: 2:05-CR-108-PMP-PAL

USM No: 40121-048

Date of Previous Judgment: 11/25/2009)

Paul Riddle, AFPD

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 140 months **is reduced to** 120 months.

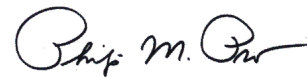
I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 29Amended Offense Level: 27Criminal History Category: VCriminal History Category: VPrevious Guideline Range: 140 to 175 monthsAmended Guideline Range: 120 to 150 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):**III. ADDITIONAL COMMENTS**

If the Bureau of Prisons determines this results in time served, then the Court Orders defendant be released ten days from the Order date below to allow the BOP to complete release planning, conduct the violent sexual offender assessment mandated by law, and obtain any DNA samples, as required by law.

Except as provided above, all provisions of the judgment dated 11/25/2009 shall remain in effect.

IT IS SO ORDERED.Order Date: 4/5/2012


Judge's signature

Effective Date: _____
(if different from order date)

PHILIP M. PRO, UNITED STATES DISTRICT
Printed name and title